



PETITION FOR PRIVATE CHILD CUSTODY RECOMMENDING COUNSELING PACKET

**Petitions for
Private Child
Custody
Recommending
Counseling**

A Petition for Private Child Custody Recommending Counseling (FL/E-LP-601), may be filed with or without an Order To Show Cause. Filing a Petition for Private Child Custody Recommending Counseling is without prejudice to a party's right to a future hearing.

**Contents of
Packet**

- Petition for Private Child Custody Recommending Counseling, Family Law Form FL/E-LP-601
 - Response to Private Child Custody Recommending Counseling, Family Law Form FL/E-LP-602
 - Order for Private Child Custody Recommending Counseling, Family Law Form FL/E-LP-603
 - Summary of Procedures
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**Purpose of
Petition**

The Petition for Private Child Custody Recommending Counseling form serves as the adopted method for one or both parties to seek a court order for private child custody recommending counseling. Also, when presented with an OSC/NOM regarding custody and visitation issues, the presentation of the petition results in the parties not being referred to FCS for child custody recommending counseling.

**How to use the
Petition**

If both parties agree to private child custody recommending counseling and the specific child custody recommending counselor to be used, they may simply complete the lower portion of the petition entitled "Stipulation for Private Child Custody Recommending Counseling"

If the parties are unable to agree, the party seeking the court order must complete the upper portion of the form. The court will not review the petition unless that party agrees to advance the entire cost of private child custody recommending counseling subject to the court reserving the right to later order reimbursement from the other party.



How to file the Petition	Unless both parties have stipulated to private child custody recommending counseling, the petition must be served on the other party before it will be accepted for filing. The petition includes a proof of service on the reverse side of the document. The petition must be filed accompanied by a completed Order for Private Child Custody Recommending Counseling. Both documents must be filed in triplicate.
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Filing a Petition for Private Child Custody Recommending Counseling	Upon initiating a new case with and OSC/NOM requesting custody and/or visitation orders, the Petition for Private Child Custody Recommending Counseling must be <i>presented</i> to the court at the time of filing to avoid referral to Family Court Services. However, the petition will not be accepted for filing until after service has been completed.
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- Party initiates new case and obtains case number
- Serves Petition for Private Child Custody Recommending Counseling accompanied by blank Response to Petition for Private Child Custody Recommending Counseling, FL/E-LP-602 and Summary of Procedures.
- Files the petition and proof of service accompanied by Order for Private Child Custody Recommending Counseling, FL/E-LP-603 in triplicate.

Please note: If service is perform by mail only, the time for filing and serving the Response will be extended by five days.

Response to Petition Private Child Custody Recommending Counseling	Upon being served with a Petition for Private Child Custody Recommending Counseling, the responding party has five(5) days from the date of service to file a Response to Petition for Child Custody Recommending Counseling with the court. The “response” form can be used to object to private child custody recommending counseling in its entirety, or object to the private child custody recommending counselors that were proposed. The “response” must be filed with a completed proof of service (reverse side of form) and filed with the Family Law Court in triplicate.
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Internal Court	<p>Upon receipt of the Petition for Private Child Custody Recommending Counseling, court staff will hold the document for the number of days required to provide the responding party with an opportunity to object.</p> <p>If no objection is received during the time required, the petition and accompanying order will be forwarded to the court for approval.</p> <p>If an objection is received, the petition, accompanying order, and objection will be forwarded to the court for review and action.</p>
Order for Private Child Custody Recommending Counseling	<p>If the court finds that a referral to private child custody recommending counseling to be in the best interest of the minor child(ren), the court will order private child custody recommending counseling and indicate on the order the identity of the assigned child custody recommending counselor.</p> <p>Copies of the order will be distributed as follows:</p> <ul style="list-style-type: none">▪ If represented, the order will be placed in the attorney pickup file;▪ If pro per, the order will be made available for pickup; unless▪ The party has submitted the order with self-addressed stamped envelopes.
Filing a Petition After FCS Appointment Has Been Scheduled	<p>If an FCS appointment has been scheduled, and a Petition for Child Custody Recommending Counseling is filed, the FCS appointment date will not be cancelled until an order has been made for private child custody recommending counseling.</p> <p>Once the court has ordered private child custody recommending counseling, the Courtroom Clerk will notify FCS of the order and appointment date will be cancelled.</p>